



General Assembly

January Session, 2009

Raised Bill No. 6617

LCO No. 3950

03950_____PH_

Referred to Committee on Public Health

Introduced by:
(PH)

AN ACT CONCERNING WATER SUPPLY PLANS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 25-32d of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2009*):

3 (a) Each water company, as defined in section 25-32a, and supplying
4 water to one thousand or more persons or two hundred fifty or more
5 consumers and any other water company as defined in said section
6 requested by the Commissioner of Public Health shall submit a water
7 supply plan to the Commissioner of Public Health for approval with
8 the concurrence of the Commissioner of Environmental Protection,
9 provided concurrent approval from the Commissioner of
10 Environmental Protection shall only be required on issues that are not
11 otherwise subject to separate approval by the Commissioner of
12 Environmental Protection. The Commissioner of Environmental
13 Protection may provide comments on any or all aspects of a plan
14 submitted pursuant to this subsection. The concurrence of the Public
15 Utilities Control Authority shall be required for approval of a plan
16 submitted by a water company regulated by the authority. The

17 Commissioner of Public Health shall consider the comments of the
18 Public Utilities Control Authority on any plan which may impact any
19 water company regulated by the authority. The Commissioner of
20 Public Health shall distribute a copy of the plan to the Commissioner
21 of Environmental Protection and the Public Utilities Control Authority.
22 A copy of the plan shall be sent to the Secretary of the Office of Policy
23 and Management for information and comment. A plan shall be
24 revised in whole or in part at such time as the water company filing
25 the plan [or the Commissioner of Public Health] determines, [or]
26 provided any such revisions are filed at intervals of not [less than three
27 years nor] more than [five] ten years after the date of [initial approval]
28 the last plan submittal. The Commissioner of Public Health may
29 require revisions to any plan, as deemed necessary by the
30 commissioner, when any company required to file a plan has failed to
31 meet public water supply obligations prescribed under state law or
32 regulation.

33 (b) Any water supply plan submitted pursuant to this section shall
34 evaluate the water supply needs in the service area of the water
35 company submitting the plan and propose a strategy to meet such
36 needs. The plan shall include: (1) A description of existing water
37 supply systems; (2) an analysis of future water supply demands; (3) an
38 assessment of alternative water supply sources which may include
39 sources receiving sewage and sources located on state land; (4)
40 contingency procedures for public drinking water supply emergencies,
41 including emergencies concerning the contamination of water, the
42 failure of a water supply system or the shortage of water; (5) a
43 recommendation for new water system development; (6) a forecast of
44 any future land sales, an identification which includes the acreage and
45 location of any land proposed to be sold, sources of public water
46 supply to be abandoned and any land owned by the company which it
47 has designated, or plans to designate, as class III land; (7) provisions
48 for strategic groundwater monitoring; (8) an analysis of the impact of
49 water conservation practices and a strategy for implementing supply
50 and demand management measures; [and] (9) on and after January 1,

51 2004, an evaluation of source water protection measures for all sources
52 of the water supply, based on the identification of critical lands to be
53 protected and incompatible land use activities with the potential to
54 contaminate a public drinking water source; and (10) a brief summary
55 of the water company's underground infrastructure replacement
56 practices, including current and future infrastructure needs, methods
57 by which projects for rehabilitation and replacement are indentified
58 and prioritized and funding needs.

59 (c) For security and safety reasons, procedures for sabotage
60 prevention and response shall be provided separately from the water
61 supply plan as a confidential document to the Department of Public
62 Health. Such procedures shall not be subject to disclosure under the
63 Freedom of Information Act, as defined in section 1-200. Additionally,
64 procedures for sabotage prevention and response that are established
65 by municipally-owned water companies shall not be subject to
66 disclosure under the Freedom of Information Act, as defined in section
67 1-200.

68 (d) The Commissioner of Public Health, in consultation with the
69 Commissioner of Environmental Protection and the Public Utilities
70 Control Authority, shall adopt regulations in accordance with the
71 provisions of chapter 54. Such regulations shall include a method for
72 calculating safe yield, the contents of emergency contingency plans
73 and water conservation plans, the contents of an evaluation of source
74 water protection measures, a process for approval, modification or
75 rejection of plans submitted pursuant to this section, a schedule for
76 submission of the plans and a mechanism for determining the
77 completeness of the plan. The plan shall be deemed complete if the
78 commissioner does not request additional information within ninety
79 days after the date on which the plan was submitted or, in the event
80 that additional information has been requested, within forty-five days
81 after the submission of such information, except that the commissioner
82 may request an additional thirty days beyond the time in which the
83 application is deemed complete to further determine completeness. In

84 determining whether the water supply plan is complete, the
 85 commissioner may request only information that is specifically
 86 required by regulation. The Department of Environmental Protection
 87 and the Department of Public Utility Control, in the case of any plan
 88 which may impact any water company regulated by that agency, shall
 89 have ninety days upon notice that a plan is deemed complete to
 90 comment on the plan.

91 (e) Any water company, when submitting any plan or revision or
 92 amendment of a plan after July 1, 1998, which involves a forecast of
 93 land sales, abandonment of any water supply source, sale of any lands,
 94 or land reclassification, shall provide notice, return receipt requested,
 95 to the chief elected official of each municipality in which the land or
 96 source is located, the Nature Conservancy, the Trust for Public Land
 97 and the Land Trust Service Bureau and any organization on the list
 98 prepared under subsection (b) of section 16-50c. Such notice shall
 99 specify any proposed abandonment of a source of water supply, any
 100 proposed changes to land sales forecasts or any land to be designated
 101 as class III land in such plan. Such notice shall specify the location and
 102 acreage proposed for sale or reclassification as class III land and
 103 identify sources to be abandoned and shall be provided no later than
 104 the date of submission of such plan or revision. Such notice shall
 105 indicate that public comment on such plan or revision shall be received
 106 by the Commissioners of Public Health and Environmental Protection
 107 not later than sixty days after the date of notice. The Commissioner of
 108 Public Health shall take such comment into consideration in making
 109 any determination or approval under this section.

This act shall take effect as follows and shall amend the following sections:		
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Section 1	<i>October 1, 2009</i>	25-32d
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Statement of Purpose:

To revise the requirements governing the submission of water supply plans by water companies.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]